

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

) Mag. Case No. **'08 MJ 8320**

Plaintiff,

) COMPLAINT FOR VIOLATION OF:

v.

) Title 8, U.S.C., Section 1324 (a)(1)(A)(ii)

Valentin Alberto VAZQUEZ-Lopez,

) Illegal Transportation of Aliens

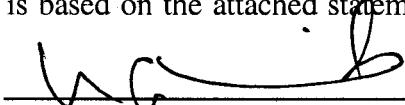
Defendant.

)

The undersigned complainant, being duly sworn, states:

On or about April 13, 2008, within the Southern District of California, defendant Valentin Alberto VAZQUEZ-Lopez with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, Moises SANTIAGO-Vazquez, Luciano CASTANEDA-Garcia, and Mario FUENTES-Arreguin, had come to, entered and remained in the United States in violation of law, and did transport and move said aliens within the United States in furtherance of such violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Marco A. Miranda
Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 14th DAY OF APRIL 2008.


PETER C. LEWIS
United States Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

3 Valentin Alberto VAZQUEZ-Lopez

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon statements in the investigative
6 reports by the apprehending agents, C. Dahlstrom and J. Wagner that on April 13, 2008, the
7 defendant, Valentin Alberto VAZQUEZ-Lopez (VAZQUEZ-Lopez), an illegal alien, was
8 apprehended in Calexico, California, as the driver of a gold 1993 Ford Explorer (the "Explorer"),
as he smuggled ten (10) undocumented aliens from Mexico, in violation of law.

9 On April 13, 2008, at approximately 07:15 a.m., a Remote Video Surveillance Systems
10 (RVSS) operator was conducting surveillance near the Calexico, California, east port of entry.
11 The RVSS operator observed a gold colored Ford Explorer drive along the All American Canal
12 (AAC). The vehicle parked on the north side of the AAC. A few seconds later, several
13 suspected illegal aliens climbed over the north canal bank from the water and ran to the Explorer.
14 The suspected illegal aliens entered the Explorer. The RVSS operator observed as the Explorer
15 drove north along the Ash Canal.

16 Agents Dahlstrom and Wagner responded to the area and observed the Explorer turning
17 onto Carr Road going westbound. The Explorer turned southbound at the intersection of Carr
18 Road and Barbara Worth Road. The driver of the Explorer lost control of the vehicle, as it
19 entered the sharp turn where Barbara Worth Road turns into Anza Road. The Explorer hit the
20 embankment which supports the Briar Canal. The Explorer climbed the embankment and got
21 stuck on the north side of the canal bank approximately thirteen feet from the water's edge.
22 Agent Dahlstrom observed the driver, later identified as Valentin Alberto VAZQUEZ-Lopez,
23 exit the vehicle from the driver's seat and jump into the Briar Canal. Agent Dahlstrom
24 approached the Explorer and observed ten suspected illegal aliens inside the vehicle. Agent
25 Dahlstrom identified himself as a United States Border Patrol Agent and instructed everyone to
26 exit the vehicle.

1 Agent Dahlstrom questioned all the subjects as to their citizenship. All ten subjects
2 admitted to being citizens and nationals of Mexico without any immigration documents that
3 would allow them to be in, live, or work in the United States legally.

4 Agent Wagner pulled VAZQUEZ-Lopez out of the water. Agent Wagner identified
5 himself as a United States Border Patrol Agent and questioned him as to his citizenship.
6 VAZQUEZ-Lopez claimed to be a citizen and national of Mexico without any immigration
7 documents that would allow him to live, work, or remain in the United States legally. All the
8 subjects were arrested and transported to the Calexico Border Patrol Station.

9 At the station, Agent M. Hernandez advised VAZQUEZ-Lopez of his Miranda rights.
10 VAZQUEZ-Lopez acknowledged understanding his rights and that he was willing to answer
11 questions without an attorney present. VAZQUEZ-Lopez admitted to smuggling illegal aliens for
12 money and that he was the driver of the Explorer. VAZQUEZ-Lopez told agents that he is a
13 citizen of Mexico, born in Mexicali, Baja California, Mexico on February 14, 1984. VAZQUEZ-
14 Lopez stated he entered the United States by crossing the canal in a raft. Once across,
15 VAZQUEZ stated the Explorer was waiting there for him to drive. VAZQUEZ-Lopez also
16 stated a man named "Chino" offered him a job as a driver to smuggle people for money. He was
17 to be paid \$100.00 per person. VAZQUEZ-Lopez said he made these arrangements yesterday in
18 Mexicali. VAZQUEZ-Lopez stated that he communicated with "Chino" by cellular phone.
19 VAZQUEZ-Lopez also said that while he was driving, he told "Chino" that Border Patrol was
20 following him. VAZQUEZ-Lopez said that "Chino" instructed him to go to the border and
21 return to Mexico. VAZQUEZ-Lopez stated that he jumped into the canal to evade arrest.

22 Material Witnesses, Moisés SANTIAGO-Vazquez, Luciano CASTANEDA-Garcia, and
23 Mario FUENTES-Arreguin stated they are citizens of Mexico and illegally in the United States.
24 SANTIAGO-Vazquez stated his brother made arrangements for him to be smuggled into the
25 United States for \$2,500.00. CASTANEDA-Garcia stated that he made arrangements last night
26 to be smuggled into the United States for a fee of \$1,500.00. FUENTES-Arreguin stated he
27 met with an unknown man who offered to smuggle him into the United States for a fee of
28 \$2,500.00. All three subjects said they crossed the United States/Mexico International border
29 illegally by boarding a raft and rafting across a canal into the United States. Moisés

1 SANTIAGO-Vazquez, Luciano CASTANEDA-Garcia, and Mario FUENTES-Arreguin were
2 shown a six photo line up and positively identified photo #1, which depicted defendant Valentin
3 Alberto VAZQUEZ-Lopez, as the driver of the Explorer.

4 The complainant states that the names of the Material Witnesses are as follows:

<u>NAME</u>	<u>PLACE OF BIRTH</u>
Moisés SANTIAGO-Vazquez	Mexico
Luciano CASTANEDA-Garcia	Mexico
Mario FUENTES-Arreguin	Mexico

9 Further, complainant states that Moisés SANTIAGO-Vazquez, Luciano CASTANEDA-
10 Garcia, and Mario FUENTES-Arreguin, are citizens of a country other than the United States,
11 that said aliens have admitted they are deportable, that their testimony is material, that it is
12 impracticable to secure their attendance at the trial by subpoena, and that they are material
13 witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to
14 Title 18, United States Code, Section 3144.